

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ATHENS DIVISION
AT MACON, GEORGIA



**MINUTE SHEET
OF COURT PROCEEDINGS ()**

Date: June 29, 2011 Type of Hearing: Motion Hearing

Judge: C. Ashley Royal Court Reporter: Tammy Fletcher

Courtroom Deputy: Lee Anne Purvis Law Clerk:

Case Number: 3:11-cr-6(CAR)

U. S. A. Counsel: Graham Thorpe

vs.

David Bishop Laist Counsel: Page Pate

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Court time for JS10/MJSTAR: 1/35

- 9:48 Called to order. Preliminary remarks by the Court. Discussion re: stipulations.
9:56 Examination of James Cearley, Jr. by AUSA Graham Thorpe.
10:11 The Court questions the witness.
10:11 Continuation of examination of James Cearley by AUSA Graham Thorpe.
10:23 The Court questions the witness.
10:23 Continuation of examination of James Cearley by AUSA Graham Thorpe.
10:27 The Court inquires into testimony on the voluntariness issue.
10:27 Examination of James Cearley by Page Pate.
10:41 Examination of James Cearley by AUSA Thorpe re: delay issue.
10:52 The Court questions AUSA Thorpe.
10:53 Examination of James Cearley by Page Pate.
10:56 Examination of James Cearley by AUSA Thorpe. Government rests.
10:57 Page Pate addresses the Court and tenders an exhibit. Defense rests.
10:59 Recess.
11:15 Re-convene.
11:17 Argument by Page Pate.
11:22 The Court makes its finding on the voluntariness issue.
11:27 Argument by Page Pate.

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- 11:33 The Court makes its findings
- 11:38 Argument by Page Pate.
- 11:40 Argument by Graham Thorpe.
- 11:41 The Court makes further findings. The Court requires testimony by AUSA Paul McCommon and will reconvene this hearing when AUSA McCommon is available. Page Pate agrees to accept McCommon's testimony by affidavit. The Court will continue the pretrial conference on July 6 but the case will remain on the trial calendar for August 2, 2011.
- 11:48 USPO Leigh Swicord addresses the Court and reports that Defendant was terminated by his employer yesterday for theft of a controlled substance. A petition for action on supervised release is currently before Judge Weigle. Defendant is taken into custody.
- 11:49 Adjourned.